

Amendment and Response

Applicant: William J. Bertrand et al.

Serial No.: 10/698,117

Filed: October 31, 2003

Docket No.: M190.247.101 / P0011522.00

Title: INDICATOR TOOL FOR USE WITH AN IMPLANTABLE MEDICAL DEVICE

13). The “electronic compass module” of Species B is akin to the “target compass module” of Species C. Finally, the “background compass module” of Species C is described in claim 13 in the context of the “processing module” that:

receives background magnetic field data from a background compass module within the locator tool

Species B, in turn, includes a processing module that receives background magnetic field data and thus is akin to the “background compass module”. In light of these explanations, it is respectfully submitted that the Office Action has failed to identify requisite distinctness between Species B and C. Thus, withdrawal of the restriction between Species I.B and I.C is requested.

Any inquiry regarding this Election should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Dicke, Billig & Czaja, PLLC
ATTN: MD Matters
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55415

Respectfully submitted,

William J. Bertrand et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2004
Facsimile: (612) 573-2005

Date: October 1, 2009
TAC:jms

Timothy A. Czaja
Reg. No. 39,649